

Applicants: Stadler et al.
Serial No. 10/023,234
Page 7

REMARKS

Claims 1-55 were rejected under 35 USC § 102(b) as being clearly anticipated by Larnard et al. , U.S. Patent No. 5,086,772. Applicant respectfully traverses this rejection.

The Examiner has maintained this rejection based on a single algorithm presented in the reference. Applicant has amended the claims to more clearly indicate that rhythms are first classified as benign or non-benign. If benign, the process continues in the normal mode. If non-benign, then the device switches to a different processing mode, employs a different set of evaluation criteria and further evaluate the rhythm. None of this is remotely suggested or implied in the reference. As such, Applicant respectfully requests a withdrawal of the rejection and an indication of allowable subject matter. Should any issues remain outstanding, the Examiner is urged to telephone the undersigned to expedite prosecution.

Respectfully submitted,

Date: 12/9/05



Daniel G. Chapik
Reg. 43,424
Telephone: (763) 514-3066
Customer No. 27581

McClellan, Molly Malka

From: Chapik, Dan
Sent: Monday, December 05, 2005 2:22 PM
To: McClellan, Molly Malka
Subject: P9888 DO by 12/12

Attachments: Response to10 13 05 OA.doc

Please revise as after final response and file before 2 month date. Thx



Response to10 13
05 OA.doc (48...